

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:10-CV-027-RLV-DCK**

THIS MATTER IS BEFORE THE COURT on “Plaintiff’s Motion For Order Overruling Objections To Interrogatories, Requests For Production And For Order Compelling Answers To Same” (Document No. 22) filed on February 24, 2011 and Plaintiff’s “Withdrawal of Motion to Compel” (Document No. 27) filed on March 29, 2011. This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b), and immediate review of these motions is appropriate. Having carefully considered the motions and the record, the undersigned will deny the motion to compel as moot, and grant the motion to withdraw the motion to compel.

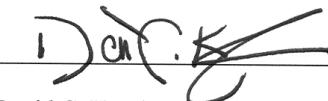
The “Withdrawal of Motion to Compel” reports that Plaintiff “received correspondence from Defendant that is responsive to Plaintiff’s discovery requests,” and that Plaintiff reserves the right to seek attorney’s fees related to his motion to compel.

IT IS, THEREFORE, ORDERED that “Plaintiff’s Motion For Order Overruling Objections To Interrogatories, Requests For Production And For Order Compelling Answers To Same” (Document No. 22) is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that Plaintiff's "Withdrawal of Motion to Compel" (Document No. 27) is **GRANTED**.

SO ORDERED.

Signed: March 29, 2011



David C. Keesler
United States Magistrate Judge

